

The Seabrook Planning and Zoning Commission met in regular session on Thursday, April 20, 2023 at 6:00 PM at Seabrook City Hall to consider and if appropriate, take action on the agenda items listed below:

THOSE PRESENT WERE:

GARY RENOLA	CHAIRMAN
DARRELL PICHA	VICE - CHAIR
SCOTT REYNOLDS	MEMBER
ROSEBUD CARADEC	MEMBER
GUY RODGERS	MEMBER
RHONDA THOMPSON	MEMBER
ED KLEIN	MEMBER
SEAN LANDIS	DIRECTOR OF COMMUNITY DEVELOPMENT
PAT PATEL	ADMINISTRATIVE COORDINATOR

Chairman Gary Renola called the meeting to order at 6:00 p.m. and stated there was a quorum present.

1.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

None

2.0 SPECIFIC PUBLIC HEARINGS

2.1 Conduct a public hearing on a request to change the zoning classification of land described below from the current classification of R-1 "Single-Family Detached Residential District" to C-1 "Light Commercial District".

Owner/Applicant: Thomas G. Binig

Legal Description: 2817 Sams Drive, Seabrook, TX 77586. Lot Three (3), of Red Oak Replat, a Subdivision in Harris County, Texas, according to the Map or Plat thereof recorded in Instrument No. 20110381323 of the Map of Records in the Office of the County Clerk of Harris County, Texas.

Location: This property is addressed 2817 Sams Drive, Seabrook, TX 77586, which is located immediately north of Red Bluff Road, and west of Sams Drive.

Gary Renola opened the Public Hearing at 6:03 p.m.

Sean Landis presentation:

The applicant is requesting to rezone 1.54 acres of land from a 2.48 acres tract of land situated on Lot 3, of Red Oak Replat, from R-1 "Residential Single-Family Detached" to C-1 "Light Commercial District". The owner of the property proposes the rezoning of the 1.54 acre portion of Lot 3 will complement the adjacent Lots 1 and 2 which are currently zoned C-1 "Light Commercial District". The applicant additionally believes if the rezoning is approved the ability for a developer to combine the additional 1.54 acres from Lot 3 with the adjacent 4.47 acres of Lots 2 and 8 creates a 6.23 acres tract of land that would be more attractive for a commercial developer to develop adjacent to Red Bluff Road. The applicant believes the community would benefit for the additional commercial development.

PUBLIC COMMENTS:

- Nick Papaianni – Sams Drive – recently purchased property here in Seabrook – does not support this – expansion of C-1 zoning cannot support this area – size of plot – Other examples include: Wells Fargo on Nasa, Duffs Barbershop, Pelican Bed & Breakfast – all part of c-1 zoning – 200 sqft bigger – expansion of c-1 zoning is not necessary for current owner to sell – future use of property is not guaranteed – unknown future of new ownership – seabrook master plan – red bluff lacking a park – City could turn into a park.
- Thomas Binig – Applicant – resubmitted proposal to P&Z – allow maintain 50ft buffer – opportunity to have something nice to happen – plan to sell property – win for the City – followed all recommendations per P&Z's last meeting.
- Angela Cervantes – concerned about surrounding property values – neighborhood already faces noise of trains – concerned about legality of rezoning – not in support.

Gary Renola closed the Public Hearing at 6:17 p.m.

2.2 Conduct a public hearing on a request for approval of a Preliminary Planned Unit Development (Preliminary PUD) to create "Seabrook Village Cottages" a residential development comprising of 160 single-family detached dwelling units, consisting of three individual residential unit types resembling traditional single-family detached homes that will be developed on one single reserve, each lot will not be individually platted, individual units will not be for sale and will only be available for lease, the project will be developed on approximately 27.885 acres tract of land.

Applicant: Rosie Kaetzer, Kimley-Horn, 11700 Katy Freeway Suite 800, Houston, TX 77008

Owner: Robert Swearengen, 5351 W. Winding Desert Drive, Marana, Arizona 85658
Sandford Collins, 23 W. Pipers Green Street, Spring, TX 77382

Legal Description:

BEING a 27.885 acre (1,214,676 square foot) tract of land situated in the Ritson Morris Survey, Abstract No. 52, City of Seabrook, Harris County, Texas, and being all of the called 17.9804 acre tract of land, all of the 5.01 acre tract of land described as Tract 1, and all of the 5.01 acre tract of land described as Tract 2 in the Deed of Gift to Robert Samuel Swearengen recorded in Document No. K468816 of the Official Public Records of Harris County, Texas, said 17.9804 acre tract of land, 5.01 acre tract of land described as Tract 1, and 5.01 acre tract of land described as Tract 2 being described in the Special Warrant Deed to Robert Samuel Swearengen (undivided 1/3 interest) recorded in Document No. K468817 of said Official Public Records of Harris County, Texas, said 17.9804 acre tract of land, 5.01 acre tract of land described as Tract 1, and 5.01 acre tract of land described as Tract 2 also being described in the Special Warranty Deed to Sandford Burnam Collins (undivided 1/3 interest) recorded in Document No. K468818 of said Official Public Records of Harris County, Texas, said 27.885 acre (1,214,676 square foot) tract of land.

Location: This property is located south of Red Bluff Road, north of Lake Mija Court, and west of Park Drive.

Sean Landis presentation:

The purpose of the Preliminary Planned Unit Development (PUD) is to provide a flexible approach for development, allows a more flexible response to the market, encourage innovative mixed uses and site plan design.

The applicant: Kimley Horn, (Rosie Kaetzer) is requesting the approval of a Preliminary Planned Unit Development (PUD) "Seabrook Village Cottages".

The proposed project will be constructed on a 27.885 acre site located south of Red Bluff Road, north of Lake Mija Court, and west of Park Drive. The request is for approval of a Preliminary Planned Unit Development (Preliminary PUD) to create "Seabrook Village Cottages" a residential development comprising of 160 single-family detached dwelling units, consisting of three individual residential unit types resembling traditional single-family detached homes that will be developed on one single reserve, each lot will not be individually platted, individual units will not be for sale and will only be available for lease.

The property is located within the R-2 "Single-Family Detached Residential (Small Lots)" zoning district.

This district is primarily intended for detached single-family residential dwellings of a higher density than is permitted in R-1 and includes zero lot line homes. This zone also allows for related religious, educational and recreational facilities normally required to provide the basic elements of a balanced and attractive neighborhood. These areas are intended to be separated and protected from the encroachment of land use activities which do not perform a function necessary to sustain the residential environment. Internal stability, attractiveness, order, efficiency, security and the maintenance of property values are encouraged by the provision of adequate light, air and open space for dwellings and related facilities and through consideration of the proper function relationships of these various elements.

The applicant has stated "The purpose of this PUD is to create a development consistent with the guiding principles outlined in the 2035 Master Comprehensive Plan. The development intends to provide a community with three different unit types throughout the development. The units will resemble traditional single-family detached homes but will be on one large reserve. Each house will not be individually platted. The development will maintain amenity and greenspace areas to establish community character and enhance the aesthetics that the City of Seabrook is known for. The SVC PUD will contain private utilities and private roads. This PUD is intended to be separated and protected from the encroachment of land use activities which do not perform a function necessary to sustain the residential environment".

"Modification to the development standards established in the City of Seabrook Code of Ordinances will ensure this PUD is making progress towards the goals of the 2035 Master Comprehensive Plan. These modifications will ensure that the proposed development enhances and does not detract from the existing developments around it, that each unique housing product has development standards that are appropriate for it, that permit the intended variety in housing types".

Applicant presentation:

- Kimley Horn representatives: Rosie Kaetzer and Kelly Bosworth
- The BTR Group introduction: Fiske Hopkins and Dewey Golub
- Property: The Seabrook Village Cottages Planned Unit Development (SVC PUD) is generally located on the south side of Red Bluff Road, west of Friendship Park. It will consist of approximately 27.885 acres.

- *Purpose & Intent: The purpose of this PUD is to create a development consistent with the guiding principles outlined in the 2035 Master Comprehensive Plan. The development intends to provide a community with three different unit types throughout the development. The units will resemble traditional single-family detached homes but will be on one large reserve. Each house will not be individually platted. The development will maintain amenity and greenspace areas to establish community character and enhance the aesthetics that the City of Seabrook is known for. The SVC PUD will contain private utilities and private roads. This PUD is intended to be separated and protected from the encroachment of land use activities which do not perform a function necessary to sustain the residential environment.*
- *Seabrook Village Cottages: 28.74 acres, total units 160 single-family detached residential units, Project Density: 5.6 Units/Ac.*
- *3-4 bedroom homes with no shared walls – 2 car garages – backyard patios*
- *Requesting a PUD – flood mitigation – tighter more dense – more green space – provide alternative with affordability – not building apartments – Will have HOA regulations maintained.*
- *Permitted Uses: PUD shall comply with the base zoning district of Residential – Single-Family Detached Small Lot (R-2).*
- *Dwelling units may be configured as individual, detached, or attached units. The units will have the look and feel of typical single-family lots but will be designed and platted typical to individual multi-family units.*
- *Dwelling units will all be located on one reserve. The individual dwelling units will be unplatted but will have the look and feel of typical Seabrook single-family developments.*
- *Amenities will include clubhouse, fitness center, luxury pool, dog park, traditional architectural with brick and hardi siding, abundance of natural green space*
- *Long term property outlook – \$410k market product*
- *Demographics – home values – Renting vs. Buying*
- *3 bedroom rent – \$2900 – Materials granite countertops, stainless steel appliances, shingles, hardieplank siding – every single house*
- *Site zoned R-2 – permitted uses – developing with one reserve – buffer between office warehouse district and residential – Comprehensive Master Plan for Red Bluff District*
- *Project benefits – affordability of renting – balance home values – higher standard of living – environmentally friendly*

Public Comments

- *Rick Coker – Mystic Village – Title sounds wonderful – its not apartments but sounds like it is – single family dwelling units – not for sale – resembling apartments – not going to be platted – for lease only – what are the lease terms?
Who controls number living there? Who monitors how many people living there?
Track-housing – not going to update kitchens or bathrooms – no actual HOA to monitor neighborhood – asphalt streets – renters don't care because it's not their home – crime will increase – Red Bluff will be traffic nightmare – owners will not be in Seabrook – nothing but landlords – people will be coming and going – lower school ratings – Not in support of this development.*
- *Steve Perry – Seascape – property owners association – against this development – crime – infrastructure cannot handle – fire ems police schools cannot handle – what do the residents want? – neighborhoods and small town feels – maintain small town feel – this development does not meet that goal – request for additional housing was low priority – traffic issues on Todville Road – increase stress on existing facilities will be too much – property values not affected – Not in support of this development.*

- *Angie Williams – Lake Mija – opposed development – lived in Seabrook for over 21 years – New home backs up to this new development – Comp Plan does not mention a PUD in this district – small size of lots – cottages would be rentals – Not in support of this development.*
- *Ron Ahlhorn – Old Orchard – Completed project picture? – purpose and intent of project? – home values not accurate – permitted uses dwelling units individual detached or attached units – what does OR mean? – 30ft wide street along friendship park? – PUD Modifications – traffic concerns – where is leasing agent? – Not in support of this development.*
- *Denise Schaefer – Plymouth Rock – Mystic Village – here in Seabrook to build a life and raise a family here – rental properties are not taken care of like their own property – Would like to see other communities that were developed – Developments near your home? – Not in support of this development.*
- *Kelly Burman – Lake Mija – home backs up to green space – homes for lease are not being taken care of – homes with 8-9 people – multiple families – more cars – not all of them will be single family – police dept fire dept will be tragedy with residents being close together – would like to see other communities – Not in support of this development.*
- *Ken Centenni – W. Flamingo Dr. – renters belong in apartments – our neighborhoods are carefully planned – what is a buffer zone? – Not in support of this development.*
- *Ed Kuny – Lake Mija – concerned about drainage – more concrete – will not be able to handle it – improve drainage – transportation issue with 160 units – Red Bluff will not be able to handle it – road going thru a house? – Not in support of this development.*
- *Matt L. – Lake Mija court – where is drainage going into? – examples of other neighborhoods – design concern photo of plot – people will be speeding – kids riding bikes near the park – Not in support of this development.*
- *Jonathan Tulles – Lake Mija – new families coming into seabrook – school not going to handle that – where did 410K come from? – rent is more than mortgage – roads cannot handle it – Not in support of this development.*
- *Derrick Martin – Lake Mija – red bluff road concerns – too many cars – city services increase with more crime – friendship park density changes with population density – more parks? Spillover private lake – renters may not be following the rules – Not in support of this development.*
- *Stacy Gauna – Loganberry Circle – same concerns as others – what is true comparison of single-family homes 6k sq ft – not built on wetlands – compare to Master Plan – Not in support of this development.*
- *Kim Smith – Lake Cove – seabrook has enough apartments – crime going up – traffic concerns – flood and drainage concerns – police and fire already overwhelmed – Repsdorph already has enough apartments – Not in support of this development.*

Gary Renola closed the Public Hearing at 7:35 p.m.

3.0 ROUTINE BUSINESS

3.1 Consider and take all appropriate action on a request to change the zoning classification of land described below from the current classification of R-1 "Single-Family Detached Residential District" to C-1 "Light Commercial District".

Motion made by Rhonda Thompson and seconded by Ed Klein.

To approve the request to change the zoning classification of land (2817 Sams Drive, Seabrook, TX 77586. Lot Three (3), of Red Oak Replat, a Subdivision in Harris County, Texas, according to the Map or Plat thereof recorded in Instrument No. 20110381323 of the Map of Records in the Office of the County Clerk of Harris County, Texas.) from the current classification of R-1 "Single-Family Detached Residential District" to C-1 "Light Commercial District".

*Ayes – Gary Renola, Rhonda Thompson, Rosebud Caradec, Darrell Picha, Ed Klein
Nays – Guy Rodgers, Scott Reynolds*

MOTION CARRIED BY MAJORITY VOTE

3.2 Consider and take all appropriate action on a request for approval of a Preliminary Planned Unit Development (Preliminary PUD) to create "Seabrook Village Cottages" a residential development comprising of 160 single-family detached dwelling units, consisting of three individual residential unit types resembling traditional single-family detached homes that will be developed on one single reserve, each lot will not be individually platted, individual units will not be for sale and will only be available for lease, the project will be developed on approximately 27.885 acres tract of land.

Board Discussion:

- Drainage is an issue – reason for clustering – to protect the wetlands – don't want to build in the wetlands*
- Why pay for wetlands? – no value – fill the wetlands? – cannot fill it*
- Other similar developments like this? – 400 units Tennessee, Atlanta Georgia – none existing for more than 5 years – no*
- 5 acres of wetlands – prefer to keep area natural as possible*
- PUD – lot size is smaller – under 6k – roads will be concrete not asphalt*
- Green Space – use natural habitat – boardwalk thru wetlands? – trail thru neighborhoods – amenity center – dog park*
- How to control how many people living in unit? – understanding who the tenant is – On site staff 24hrs – explicit leases that only allow for one family – tenant applications vetted financially and credentials*
- Traffic Study done in area? – Preliminary PUD concept approval – this is about land use – basic stages of this*
- FEMA requirements? – Yes - stilted off the ground? – yes based on pictures shown*
- Buffering – 30ft road in front of the fence – needs to be platted*
- Planting trees? – landscaping concerns – too close to the house*
- How to pave the streets? – no details – no specific amenities in pud*

Motion made by Darrell Picha and seconded by Rosebud Caradec.

To approve the request for a Preliminary PUD to create "Seabrook Village Cottages"

Ayes – none

Nays – Gary Renola, Darrell Picha, Rosebud Caradec, Rhonda Thompson, Ed Klein, Guy
Rodgers, Scott Reynolds

MOTION DENIED UNANIMOUSLY

3.3 Discuss/deliberate the creation of zoning district boundaries, along with zoning regulations for the Red Bluff and Office Warehouse Districts.

Sean Landis explained to the board that city staff is still working with other developers in regards to this location. At this time, it is not necessary yet to create a zoning ordinance.

4.0 ROUTINE BUSINESS

4.1 Approve the minutes from the March 7, 2023 Joint P&Z meeting.

Motion made by Ed Klein and seconded by Guy Rodgers.

To approve the minutes as presented.

MOTION CARRIED BY UNANIMOUS CONSENT

4.2 Approve the minutes from the March 16, 2023 Regular P&Z meeting.

Motion made by Ed Klein and seconded by Darrell Picha.

To approve the minutes as presented.

MOTION CARRIED BY UNANIMOUS CONSENT

4.3 Report from the Director of Planning and Community Development on the status of a list of actions taken by Planning & Zoning and sent to City Council for its action or review.

Sean Landis gave a brief report.

4.4 Establish future agenda items and meeting dates.

- May 18, 2023 at 6:00 p.m. – Regular P&Z meeting

396 **Motion was made by Rhonda Thompson and seconded by Ed Klein.**

397
398 *To adjourn the April 20, 2023 Planning & Zoning meeting.*

399
400 Having no further business, the meeting adjourned at 8:17 p.m.

401
402 APPROVED THIS 18th DAY OF May, 2023.

403
404 G. T. Renola
405 Gary T. Renola, Chairman

Pat Patel
Pat Patel, Administrative Coordinator